**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

      Plaintiff,

      vs.

                                                 CASE NO.: 2:01-CR-148 (3)
                                                  JUDGE SMITH
                                                  MAGISTRATE JUDGE KING

EDWARD L. CARTER,

      Defendant.

ORDER

On January 3, 2013, the Magistrate Judge issued a Report and Recommendation recommending that the Defendant's supervised release be revoked and that he be sentenced to a term of imprisonment of one month, with no new term of supervised release to follow. (Doc. 225).

The Magistrate Judge held a final supervised release revocation hearing on January 3, 2013. The Defendant stipulated to the violations of supervised release described in the Probation Officer's report. No additional evidence was presented. The Magistrate Judge heard arguments from counsel regarding the appropriate sentence. Specifically, counsel agreed that a minimal sentence in this case was appropriate. It was agreed that the sentence should be served consecutive to the sentence imposed in the Eastern District of Virginia of 121 months followed by 5 years of supervised release. Based on all this information, the Magistrate Judge recommended that Defendant's supervised release be revoked and that he be sentenced to one month imprisonment, with no additional term of supervised release to follow.

Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 14 days of the issuance of the Report and Recommendation. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and hereby confirms the revocation of Defendant's supervised release. Defendant is hereby sentenced to one month imprisonment to be served consecutive to the sentence imposed in the Eastern District of Virginia, with no additional term of supervised release to follow.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT